



Marked Agendas

Approved Minutes

Approved Reports

# DEVELOPMENT REVIEW BOARD REPORT



Meeting Date: December 3, 2020  
General Plan Element: *Character and Design*  
General Plan Goal: *Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.*

## ACTION

**Shaw Butte Division** | Request by owner for approval of a preliminary plat to divide an  
**11-PP-2019** | approximately 109,000 square foot lot into two lots with a new street.

## SUMMARY

### Staff Recommendation

Approve, subject to the attached stipulations

### Items for Consideration

- Conformance with Development Review Board Criteria – staff confirms
- Integration of Sensitive Design Principles – staff confirms
- New street alignment, E. Paradise Drive, provides legal access and street frontage for western neighbor
- Neighborhood support and opposition of street improvements along N. 106<sup>th</sup> Street
- Associated abandonment case 11-AB-2019 to remove excess GLO easements on site

## BACKGROUND

**Location:** 10535 East Cactus Road

**Zoning:** Single-family Residential (R1-43)

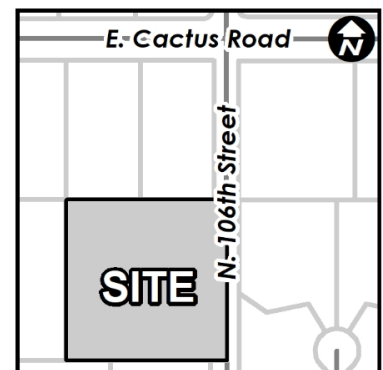
### Adjacent Uses

North: Single-family residential, R1-43, constructed in 1980s

East: Single-family residential, R1-43, constructed in the late 1990s

South: Single-family residential, R1-35 PRD, constructed in mid 1990s

West: Single-family residential, R1-43, constructed in late 2000s



### Property Owner

Blue Enterprise, LLC

### Applicant

Mischael Ligget, Blue Sky Homes  
602-695-1845

### Engineer

Tom Weber, Clouse Engineering

## **DEVELOPMENT PROPOSAL**

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The applicant seeks approval of a new 2-lot single-family residential subdivision with a new street, East Paradise Drive. The proposal divides the subject lot into two 1-acre parcels for two future single-family homes. The proposed lots are orientated north-south and adhere to the R1-43 zoning development standards. The project has street frontage along North 106<sup>th</sup> Street to the east and East Paradise Drive, a new street alignment to the north.

Land divisions of 4 or fewer lots are typically reviewed and approved administratively. However, when a new street is involved, the proposal falls into a major subdivision category that requires Development Review Board approval and City Council approval of the final plat to accept the street into the City's maintenance program.

The new street dedication, East Paradise Drive, is required to provide fee simple public right-of-way and street frontage for the lot west of the subject site that currently only has access to East Cactus Road and North 106<sup>th</sup> Street via easements on neighboring parcels. Current city standards require that all residential lots have legal access to, and frontage on, a public street right-of-way (fee simple) or private street tract owned by a HOA, as opposed to easements. Finally, the subdivision is required to extend water and sewer utilities and complete street improvements along both East Paradise Drive and North 106<sup>th</sup> Street, which are currently undeveloped next to the subject site.

### **Development Review Board Criteria**

Staff confirms that the development proposal generally meets the applicable Development Review Board Criteria. For a detailed analysis of the Criteria, please see Attachment #8.

## **STAFF RECOMMENDED ACTION**

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Staff recommends that the Development Review Board approve the Shaw Butte Division preliminary plat per the attached stipulations, finding that the Development Review Board Criteria have been met.

<b>RESPONSIBLE DEPARTMENTS</b>	<b>STAFF CONTACTS</b>
<b>Community &amp; Economic Development</b> Current Planning Services	Katie Posler Planner 480-312-2703      Email: <a href="mailto:kposler@scottsdaleaz.gov">kposler@scottsdaleaz.gov</a>
<b>Community &amp; Economic Development</b> Plan Review	Eliana Hayes Development Engineering Manager 480-312-2757      Email: <a href="mailto:ehayes@scottsdaleaz.gov">ehayes@scottsdaleaz.gov</a>
<b>Public Works</b> Traffic Engineering	Phil Kercher Traffic Engineer and Operations Manager 480-312-7645      Email: <a href="mailto:pkercher@scottsdaleaz.gov">pkercher@scottsdaleaz.gov</a>
<b>Community &amp; Economic Development</b> Stormwater Management	Alex Menez Senior Stormwater Engineer 480-312-7903      Email: <a href="mailto:amenez@scottsdaleaz.gov">amenez@scottsdaleaz.gov</a>
<b>Public Safety</b> Fire and Life Safety Services	Linda Wilson Senior Plans Examiner 480-312-2372      Email: <a href="mailto:lwilson@scottsdaleaz.gov">lwilson@scottsdaleaz.gov</a>
<b>Engineering Services</b> Engineering – Water Reclamation	Richard Sacks Senior Water Resources Engineer 480-312-5673      Email: <a href="mailto:rsacks@scottsdaleaz.gov">rsacks@scottsdaleaz.gov</a>



## APPROVED BY

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Katie Posler, Planner, Report Author

Phone: 480-312-2703 Email: kposler@scottsdaleaz.gov

11/20/20

Date




Brad Carr, AICP, LEED-AP, Planning & Development Area Manager  
Development Review Board Liaison

Phone: 480-312-7713 Email: bcarr@scottsdaleaz.gov

11/20/2020

Date



Randy Grant, Executive Director

Planning, Economic Development, and Tourism

Phone: 480-312-2664 Email: rgrant@scottsdaleaz.gov

11/23/20

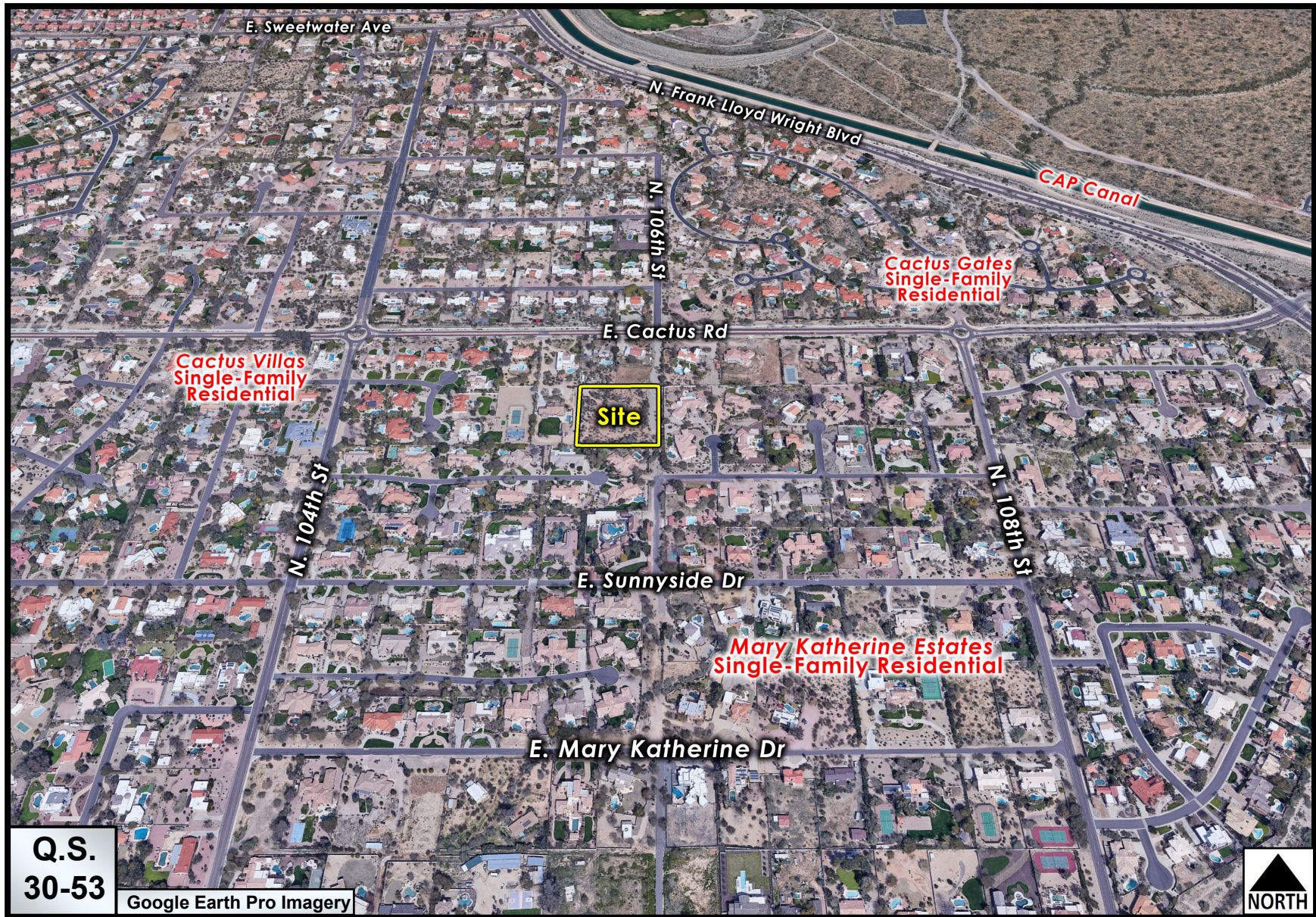
Date

## ATTACHMENTS

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1. Context Aerial
2. Close-up Aerial
3. Preliminary Plat
4. Preliminary Grading and Drainage Plan
5. Preliminary Street Improvement Plan
6. Preliminary Utility Improvement Plan
7. Applicant's Narrative
8. Development Review Board Criteria Analysis
9. Development Information
10. Impact Analysis
11. Stipulations / Zoning Ordinance Requirements
12. Zoning Map
13. Community Involvement
14. Neighborhood Notification Map

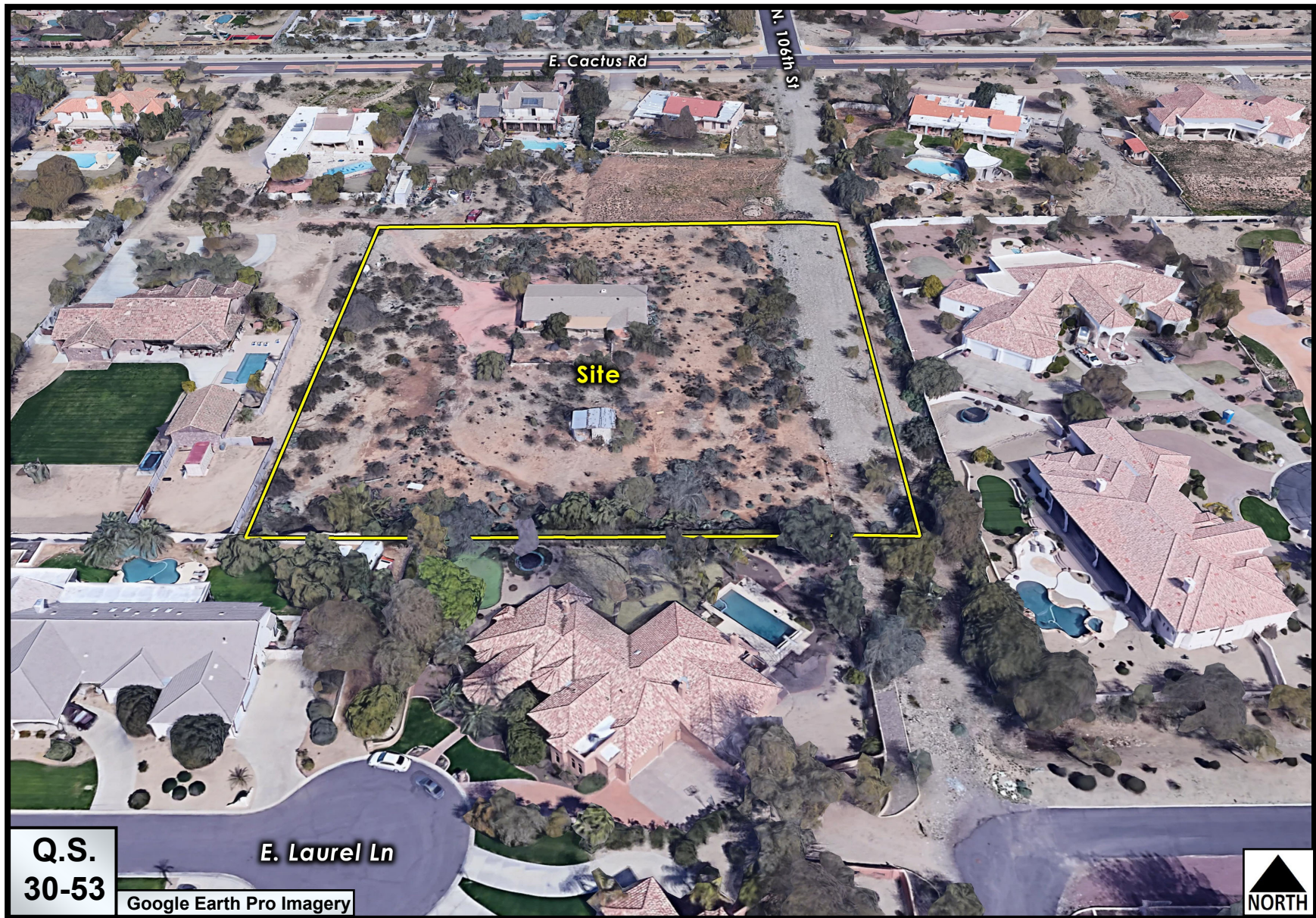




Context Aerial

11-PP-2019





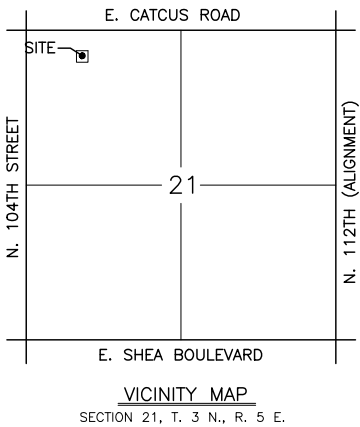
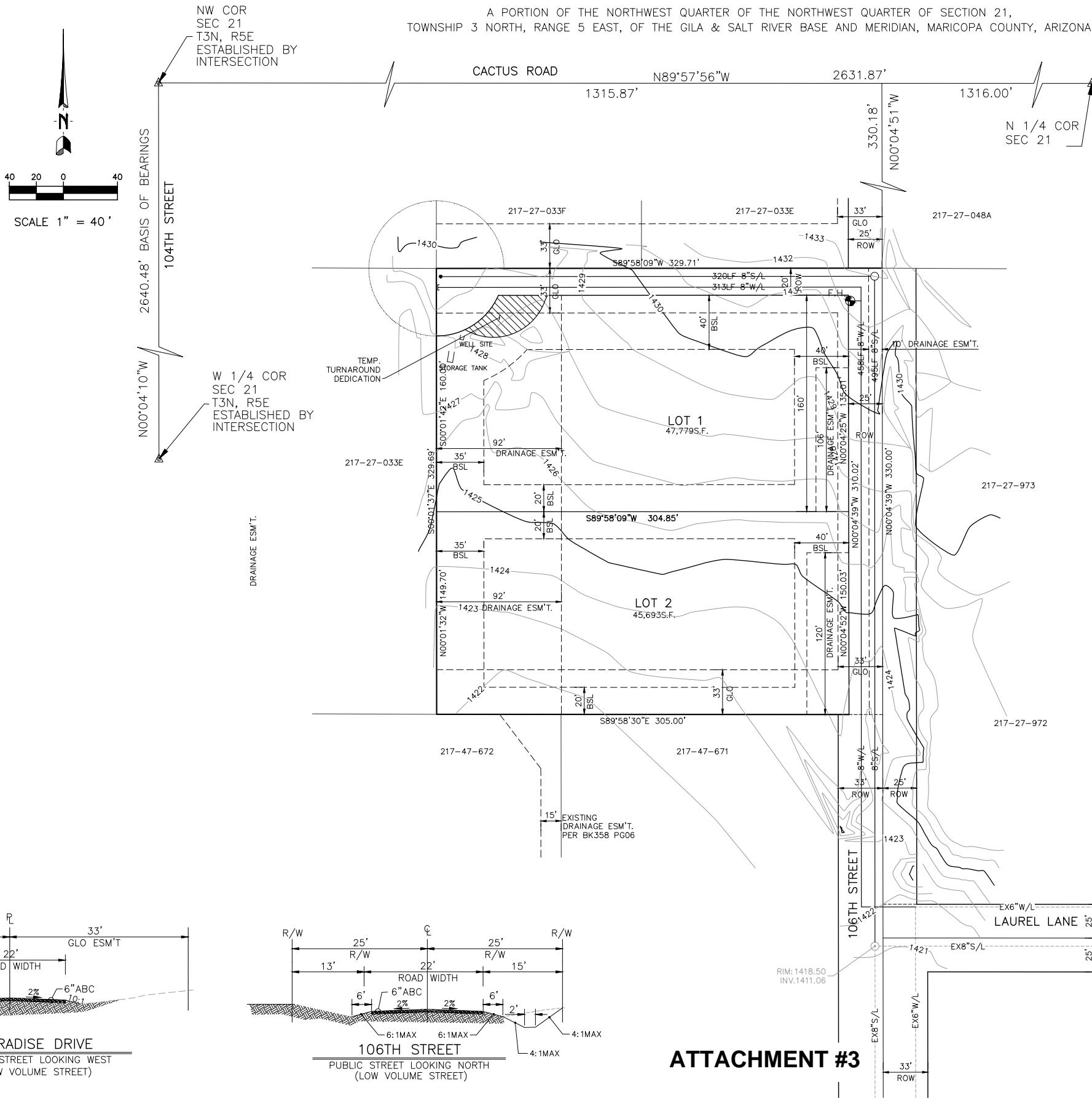
Close-up Aerial

11-PP-2019



PRELIMINARY PLAT  
FOR  
**10535 E SHAW BUTTE DRIVE**  
"AN R1-43 SUBDIVISION"

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21,  
TOWNSHIP 3 NORTH, RANGE 5 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



**PROJECT DESCRIPTION**

A 2 LOT MINOR SUBDIVISION WITHIN  
THE R1-43 ZONING DISTRICT.

**RESIDENTIAL SITE SUMMARY**

EXISTING ZONING: R1-43  
PROPOSED ZONING: R1-43  
GROSS ACRES: 2.50 ACRES  
TOTAL NUMBER OF LOTS: 2  
TYPICAL LOT SIZE: 150'x305'  
DENSITY: 1.25 LOTS/ACRE  
ASSESSOR'S PARCEL NO: 217-27-034A

**STORM WATER STORAGE REQUIREMENT FOR EACH LOT**  
UPON THE DEVELOPMENT OF EACH LOT WITHIN THIS SUBDIVISION  
WITH A RESIDENTIAL STRUCTURE, THE LOT OWNER SHALL BE  
RESPONSIBLE FOR CONSTRUCTING AN ON-LOT STORMWATER  
STORAGE BASIN OR BASINS DESIGNED IN CONFORMANCE WITH CITY  
OF SCOTTSDALE STANDARDS FOR THE DESIGN OF STORMWATER  
STORAGE BASINS INCLUDING THE DEDICATION OF A PUBLIC  
DRAINAGE EASEMENT COVERING THE LIMITS OF THE BASIN(S). THE  
STORMWATER STORAGE BASIN(S) WILL BE REVIEWED AND APPROVED  
FOR CONSTRUCTION BY THE CITY OF SCOTTSDALE AS PART OF A  
GRADING AND DRAINAGE PLAN FOR THE PROPOSED RESIDENTIAL  
STRUCTURE.

ADDITIONALLY, THE LOTS WITHIN THE SUBDIVISION ARE NOT  
ELIGIBLE FOR A WAIVER OF THE STORMWATER STORAGE  
REQUIREMENT.

**ENGINEER**

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**DEVELOPER**

BLUE ENTERPRISE, LLC  
4455 E CAMELBACK ROAD, D-275  
PHOENIX, AZ 85018  
CONTACT: NICK BLUE  
E-MAIL: nick@nickblue.com



**PRELIMINARY SITE PLAN  
10535 E. CACTUS ROAD**

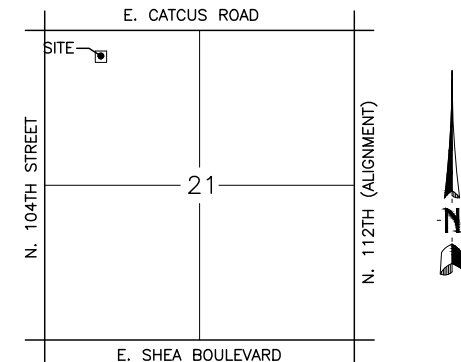
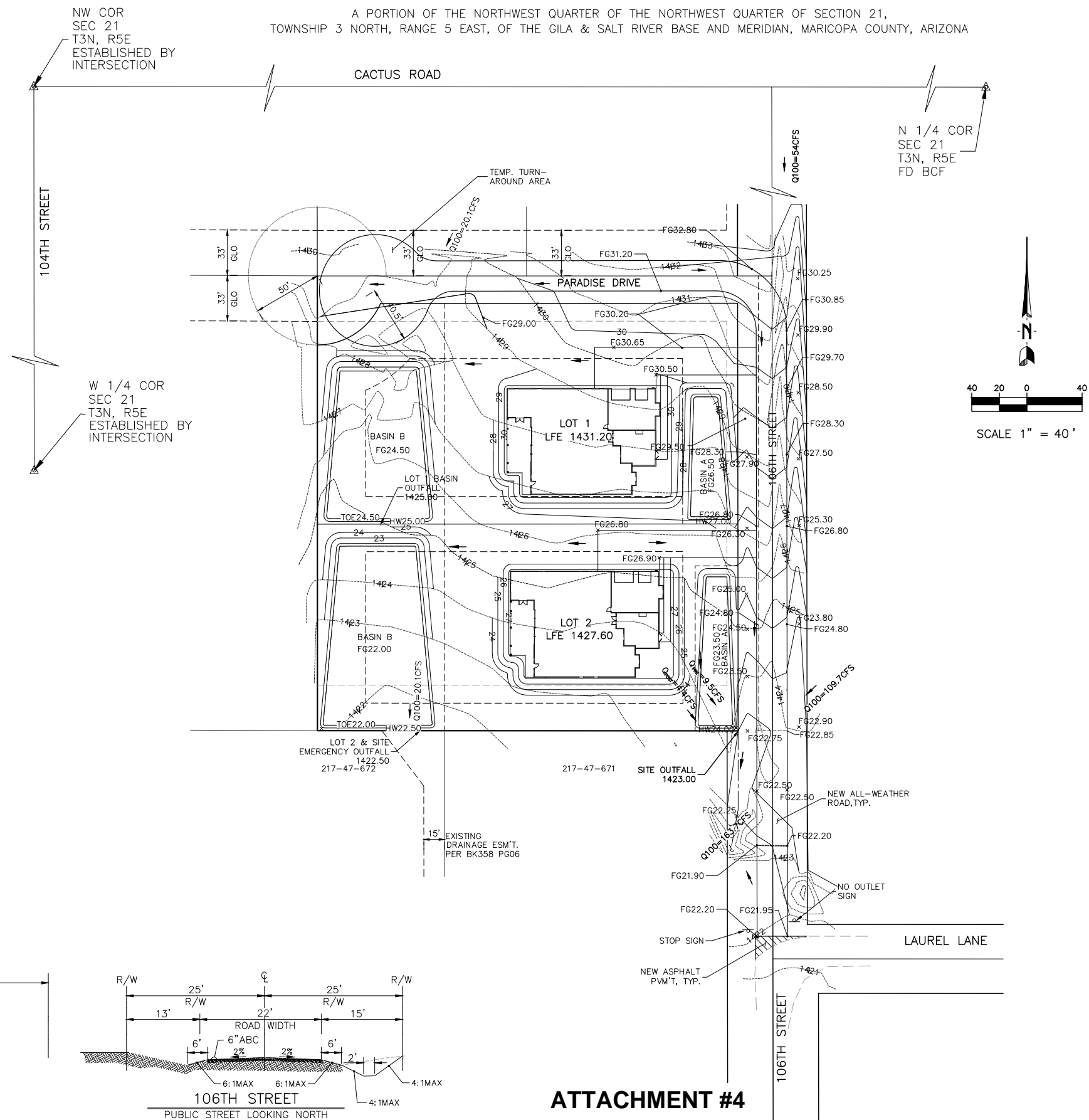


Revised  
11-05-20

Date  
8-5-20  
As-Built  
Job No.  
-

PRELIMINARY GRADING AND DRAINAGE PLAN  
FOR  
10535 E SHAW BUTTE DRIVE  
"AN R1-43 SUBDIVISION"

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21,  
TOWNSHIP 3 NORTH, RANGE 5 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



VICINITY MAP  
SECTION 21, T. 3 N., R. 5 E.

PROJECT DESCRIPTION

A 2 LOT MINOR SUBDIVISION WITHIN  
THE R1-43 ZONING DISTRICT.

RESIDENTIAL SITE SUMMARY

EXISTING ZONING: R1-43  
PROPOSED ZONING: R1-43  
GROSS ACRES: 108,808-S.F., 2.50 ACRES  
TOTAL NUMBER OF LOTS: 2  
TYPICAL LOT SIZE: 165'X305'  
DENSITY: 1.25 LOTS/ACRE  
ASSESSOR'S PARCEL NO: 217-27-034A

RETENTION CALCULATIONS - 100YR, 2HR  
RETENTION VOLUME REQUIRED =  $AXCX(2.3/12)$

RETENTION VOLUME REQUIRED			
SUB-BASIN	AREA (SF)	RUNOFF COEFF.	VOLUME REQUIRED (CF)
LOT 1	47,779	0.61	5,586
LOT 2	45,693	0.61	5,342

RETENTION VOLUME PROVIDED			
BASIN	AVG. AREA (SF)	DEPTH/LENGTH (FT)	VOLUME PROVIDED (CF)
LOT 1			
BASIN A	2,244.4	0.5	1,122.2
BASIN B	8,980.4	0.5	4,490.2
			5,612.4
LOT 2			
BASIN A	2,421	0.5	1,210.5
BASIN B	9,123.0	0.5	4,561.5
			5,772.0

STORM WATER STORAGE REQUIREMENT FOR EACH LOT  
UPON THE DEVELOPMENT OF EACH LOT WITHIN THIS SUBDIVISION WITH A RESIDENTIAL STRUCTURE, THE LOT OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTING AN ON-LOT STORMWATER STORAGE BASIN OR BASINS DESIGNED IN CONFORMANCE WITH CITY OF SCOTTSDALE STANDARDS FOR THE DESIGN OF STORMWATER STORAGE BASINS INCLUDING THE DEDICATION OF A PUBLIC DRAINAGE EASEMENT COVERING THE LIMITS OF THE BASIN(S). THE STORMWATER STORAGE BASIN(S) WILL BE REVIEWED AND APPROVED FOR CONSTRUCTION BY THE CITY OF SCOTTSDALE AS PART OF A GRADING AND DRAINAGE PLAN FOR THE PROPOSED RESIDENTIAL STRUCTURE.

ADDITIONALLY, THE LOTS WITHIN THE SUBDIVISION ARE NOT ELIGIBLE FOR A WAIVER OF THE STORMWATER STORAGE REQUIREMENT.

ENGINEER

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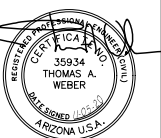
DEVELOPER

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PRELIMINARY GRADING AND DRAINAGE PLAN  
10535 E. SHAW BUTTE DRIVE



ARIZONA

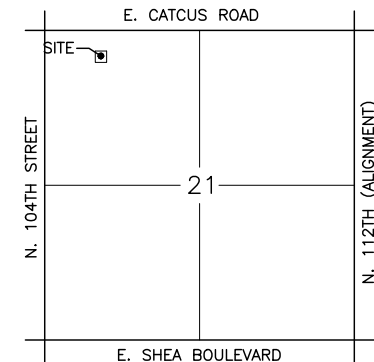
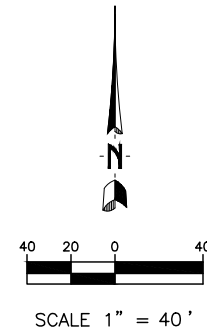
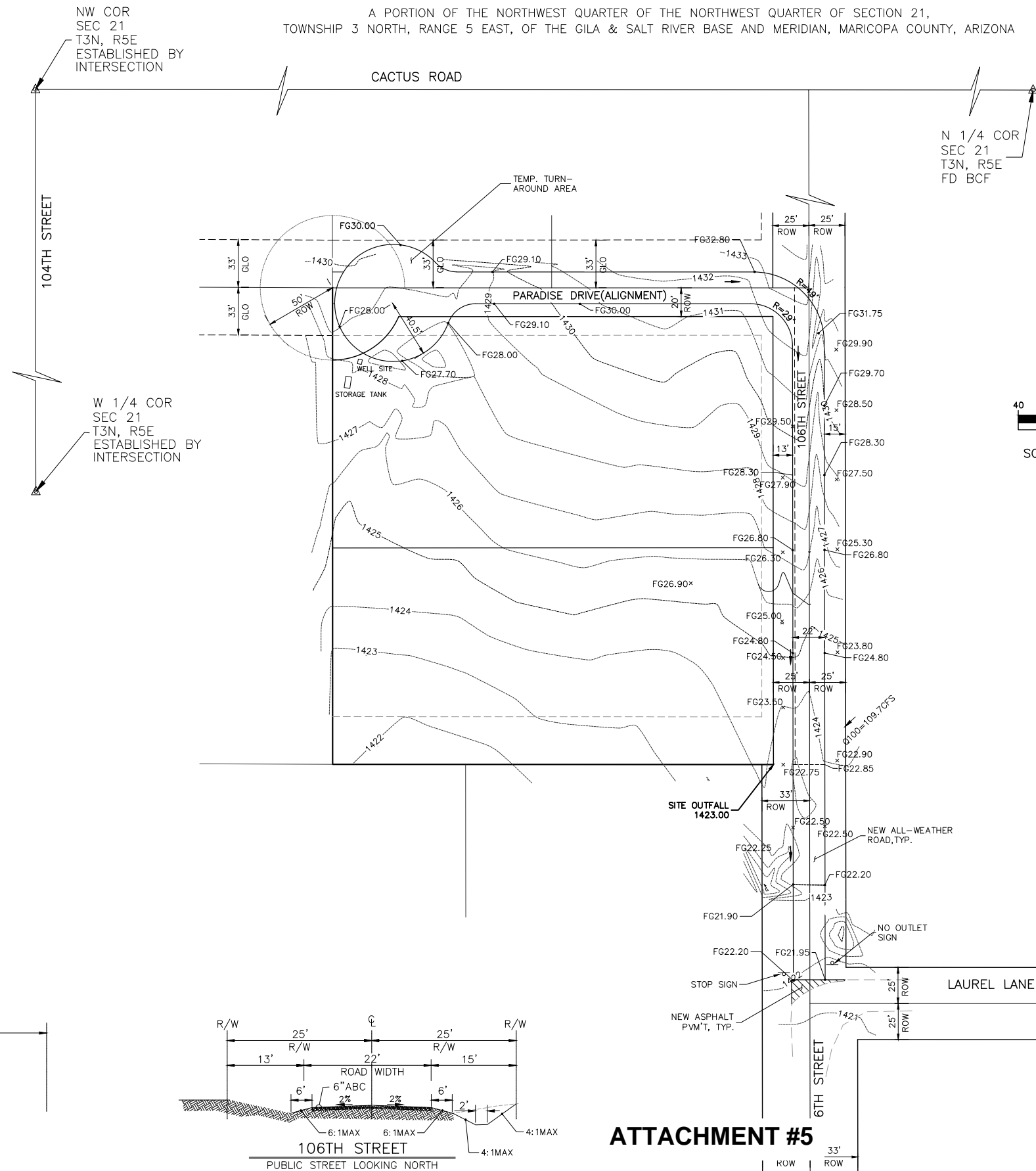


Revised  
3-23-20  
4-14-20  
8-07-20  
9-23-20  
11-05-20

Date  
10-15-19  
As-Built  
Job No.  
-

PRELIMINARY STREET PLAN  
FOR  
**10535 E SHAW BUTTE DRIVE**  
"AN R1-43 SUBDIVISION"

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21,  
TOWNSHIP 3 NORTH, RANGE 5 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



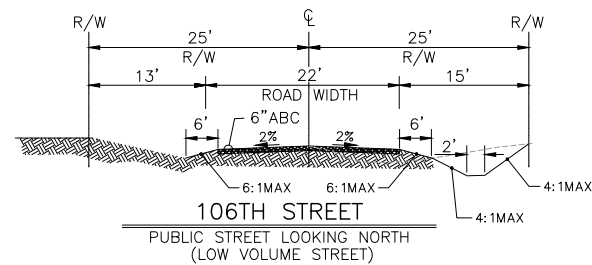
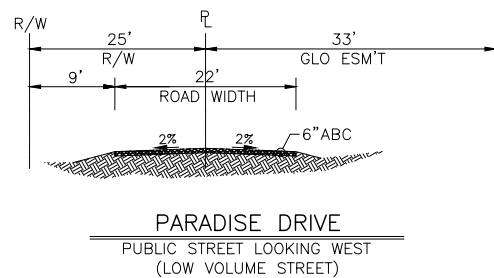
VICINITY MAP  
SECTION 21, T. 3 N., R. 5 E.

PROJECT DESCRIPTION

A 2 LOT MINOR SUBDIVISION WITHIN  
THE R1-43 ZONING DISTRICT.

RESIDENTIAL SITE SUMMARY

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TOTAL NUMBER OF LOTS: 2  
TYPICAL LOT SIZE: 165'X305'  
DENSITY: 1.25 LOTS/ACRE  
ASSESSOR'S PARCEL NO: 217-27-034A



**ATTACHMENT #5**

ENGINEER

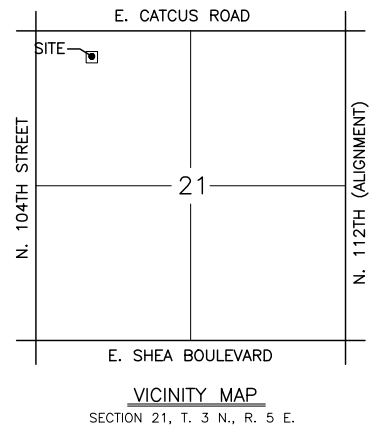
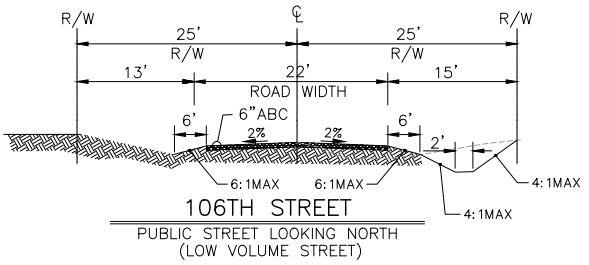
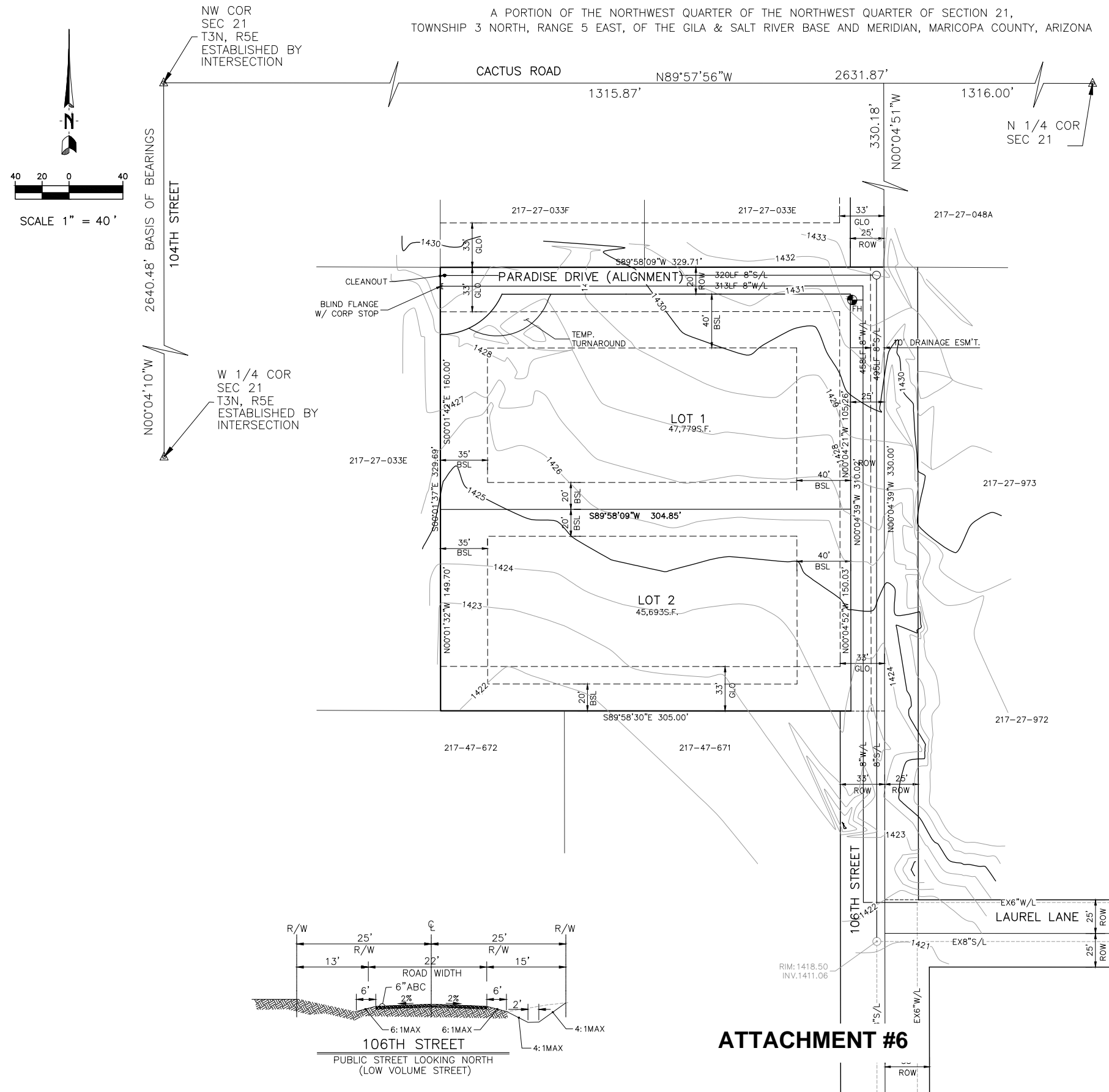
CLOUSE ENGINEERING, INC.  
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PRELIMINARY WATER & SEWER LAYOUT  
FOR  
**10535 E SHAW BUTTE DRIVE**  
"AN R1-43 SUBDIVISION"

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21,  
TOWNSHIP 3 NORTH, RANGE 5 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



**PROJECT DESCRIPTION**

A 2 LOT MINOR SUBDIVISION WITHIN  
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**RESIDENTIAL SITE SUMMARY**

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**ENGINEER**

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**DEVELOPER**

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**ATTACHMENT #6**



**PRELIMINARY WATER & SEWER**  
**10535 E. CACTUS ROAD**



Revised  
9-23-20

Date  
8-5-20  
As-Built

Job No.  
-

**PRELIMINARY PLAT PROJECT NARRATIVE**  
**FOR**  
**10535 E SHAW BUTTE DRIVE**

PREPARED FOR:  
BLUE ENTERPRISE LLC

December 20, 2019

**ATTACHMENT #7**



## **PROJECT REQUEST**

10535 E SHAW BUTTE DRIVE is an existing approximately 2.5-acre property located south of Cactus on the west side of the 106<sup>th</sup> Street alignment with an existing zoning of R1-43. The proposed Preliminary Plat will split the existing 2.5-acre property in to two (2) approximately 1-acre lots that still within the R1-43 zoning category.

## **PROJECT DESCRIPTION**

The approximately 2.5-acre is currently partially developed with an unoccupied residence. Access to the site is provided from 106<sup>th</sup> Street right of way extending to the property from south of the site. This project will dedicate right of way for 106<sup>th</sup> Street adjacent to the project site with a dedicated width of 25-feet. Additionally, a 20-feet of right of way will be dedicated along the north line of the project with a ¼ of a turnaround at the western end of the project site with a radius of 45-feet.

## **PROPOSED DEVELOPMENT**

The proposed development will consist of two (2) 1-acre properties at completion. The properties will comply with all current R1-43 zoning requirements as highlighted in the table below:

<b>R1-43 Requirements</b>		
	<b>Required</b>	<b>Provided</b>
Lot Area	43,000 SF	44,000 SF Minimum
Front Setback	40-FT	40-FT
Rear Setback	35-FT	35-FT
Street Setback	40-FT	40-FT
Side Setback	20-FT	20-FT
Retention	100-year, 2-hour	100-year, 2-hour

Additionally, the site will be providing the requested right of way dedications and utility extension as requested by the City of Scottsdale.

## **DEVELOPMENT REVIEW BOARD CRITERIA ANALYSIS**

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Per Section 1.904. of the Zoning Ordinance, in considering any application for development, the Development Review Board shall be guided by the following criteria:

1. The Board shall examine the design and theme of the application for consistency with the design and character components of the applicable guidelines, development standards, Design Standards and Policies Manual, master plans, character plan and General Plan.
  - *The proposed subdivision has been designed to follow the General Plan, Zoning Ordinance, and Design Standards and Policies Manual.*
2. The architectural character, landscaping and site design of the proposed development shall:
  - a. Promote a desirable relationship of structures to one another, to open spaces and topography, both on the site and in the surrounding neighborhood;
  - b. Avoid excessive variety and monotonous repetition;
  - c. Recognize the unique climatic and other environmental factors of this region to respond to the Sonoran Desert environment, as specified in the Sensitive Design Principles;
  - d. Conform to the recommendations and guidelines in the Environmentally Sensitive Lands (ESL) Ordinance, in the ESL Overlay District; and
  - e. Incorporate unique or characteristic architectural features, including building height, size, shape, color, texture, setback or architectural details, in the Historic Property Overlay District.
  - *The two proposed single-family lots adhere to the R1-43 zoning development standards.*
  - *Per City Charter, the new single-family homes do not require exterior design approval, but will be required to meet city ordinances, building and fire safety codes, and adhere to the R1-43 zoning standards for building height and setbacks.*
3. Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be designed as to promote safety and convenience.
  - *The proposed subdivision has frontage along the existing North 106<sup>th</sup> Street alignment and the new East Paradise Drive alignment. The applicant will be responsible for developing both street frontages to provide access to the new lots and the existing lot west of the subject site.*
4. If provided, mechanical equipment, appurtenances and utilities, and their associated screening shall be integral to the building design.
  - *This criterion is not applicable as building design is not within the scope of this application.*
5. Within the Downtown Area, building and site design shall:
  - a. Demonstrate conformance with the Downtown Plan Urban Design & Architectural Guidelines;
  - b. Incorporate urban and architectural design that address human scale and incorporate pedestrian-oriented environment at the street level;
  - c. Reflect contemporary and historic interpretations of Sonoran Desert architectural traditions, by subdividing the overall massing into smaller elements, expressing small scale details, and recessing fenestrations;

- d. Reflect the design features and materials of the urban neighborhoods in which the development is located; and
  - e. Incorporate enhanced design and aesthetics of building mass, height, materials and intensity with transitions between adjacent/abutting Type 1 and Type 2 Areas, and adjacent/abutting Type 2 Areas and existing development outside the Downtown Area.
  - *This criterion is not applicable.*
6. The location of artwork provided in accordance with the Cultural Improvement Program or Public Art Program shall address the following criteria:
- a. Accessibility to the public;
  - b. Location near pedestrian circulation routes consistent with existing or future development or natural features;
  - c. Location near the primary pedestrian or vehicular entrance of a development;
  - d. Location in conformance with Design Standards and Policies Manual for locations affecting existing utilities, public utility easements, and vehicular sight distance requirements; and
  - e. Location in conformance to standards for public safety.
  - *This criterion is not applicable.*

## **DEVELOPMENT INFORMATION**

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### **General Plan**

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land. Native desert vegetation predominates many areas and special care is required to preserve the area's open desert character and environmental features. Much of the terrain includes gentle to moderate slopes and rolling ground, intersected by several washes. Grading often requires extra care in areas with moderate slopes.

### **Character Area Plan**

This property falls within the Cactus Corridor Character Area Plan. The Cactus Corridor Area is generally bound by Pima Road to the west, Frank Lloyd Wright Boulevard to the east, Thunderbird Road to the north and Shea Boulevard to the south. The heart of the area consists of low-density residential lots ranging from 35,000 square feet to 2 ½ acre lots.

### **Zoning History**

The property was annexed into the City of Scottsdale in 1975 (Ord. 891) and rezoned to R1-43, Single-family Residential. The district is intended to promote and preserve large lot and low-density residential development. The principal land use is single-family dwellings but accessory uses like religious and educational facilities are also permitted.

### **Context**

The subject property is located southwest of the East Cactus Road and North 106<sup>th</sup> Street intersection. The site is generally surrounded by other medium to large sized single-family parcels with paved public street access. The subject site is approximately 2.5 acres and has been home to a single-family residence and accessory building since 1971. Please refer to context graphics attached.

### **Project Data**

- |                             |   |
|-----------------------------|---|
| • Existing Use:             | Single-family residence (will be demolished)                                    |
| • Proposed Use:             | Residential subdivision   |
| • Parcel Size:              | 108,608 square feet / 2.5 acres (gross)<br>93,472 square feet / 2.1 acres (net) |
| • Building Height Allowed:  | 30 feet   |
| • Building Height Proposed: | Future homes to adhere to 30 foot maximum                                       |
| • Number of lots allowed:   | 2 lots  |
| • Number of lots proposed:  | 2 lots  |

### **Other Related Policies, References:**

Scottsdale General Plan 2001, as amended

Cactus Corridor Character Area Plan

Zoning Ordinance

Land Division Ordinance

Transportation Master Planning

11-AB-2019 (associated abandonment case to remove excess GLO easements on site)

## **IMPACT ANALYSIS**

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### **Plat**

The proposed subdivision has been designed to meet all applicable city requirements, including access and utility service.

### **Transportation**

With development of the subject lot, the property owner is required to complete right-of-way dedications along North 106<sup>th</sup> Street to the east and East Paradise Drive, a new street alignment to the north. The applicant will dedicate a 25-foot half street of right-of-way to complete a 50-foot full street for North 106<sup>th</sup> Street and a 20-foot half street plus quarter cul-de-sac of right-of-way for East Paradise Drive. The remaining half street and cul-de-sac dedications for East Paradise Drive will be completed by the adjacent lot owners in the future. In the interim, the applicant is required to dedicate an Emergency Service Access easement in the northwest corner of subject parcel to allow adequate space for fire and refuse trucks to turn around.

The minimum street improvements required along East Paradise Drive and along North 106<sup>th</sup> Street from East Lauren Lane to East Paradise Drive is a Low Volume Unpaved Standard per Attachment #5. The applicant has agreed to provide pavement along North 106<sup>th</sup> Street in accordance with the Local Residential – ESL/Rural Character cross section, which Transportation and Engineering staff are supportive of and have stipulated to this project.

### **Water/Sewer**

The Water Resources Department has reviewed the application and approved the Water and Sewer Basis of Design reports. The applicant is responsible and stipulated to construct water and sewer lines along East Paradise Drive and North 106<sup>th</sup> Street from East Lauren Lane to East Paradise Drive.

### **Public Safety**

The Public Safety Department has reviewed the applications and finds that there is adequate ability to provide fire and police services for the proposed use. Overall, emergency and non-emergency activities in Scottsdale are continually monitored and tracked to evaluate the effectiveness of our service delivery and to identify any potential for future public safety resource needs for the community.

### **Drainage**

The Drainage Department has reviewed and approved the submitted preliminary Drainage Report and civil plans. The two proposed lots have smaller basins on the eastern boundary and larger basins on the western boundary to mitigate drainage and provide adequate stormwater storage.

### **Community Involvement**

At the time of the submittal, staff and the applicant sent notices to all property owners within 750 feet of the site. In addition, there has been a hearing sign posted at the site.

Staff received a letter from the neighbors affected by the new East Paradise Drive alignment asking to meet with the applicant prior to the cases moving to a hearing. Staff set up a virtual meeting on October 22<sup>nd</sup> for city staff, the applicant, and affected neighbors to meet and resolve questions. Staff explained the requirement for the new street alignment as well as how

the neighbors could submit separate applications to abandon the excess GLO easements on their own property.

Staff has heard from the neighbor located northwest of the subject site who is concerned about street improvements along Paradise Drive, as well as from the neighbor directly west of the site who is in support of even further improvements along Paradise Drive and the access it provides. In addition, staff has received phone calls of support and opposition to the new street improvements along North 106<sup>th</sup> Street. North 106<sup>th</sup> Street is currently unimproved next to the subject site but is paved north and south of the project. Per city code, North 106<sup>th</sup> Street and East Paradise Drive must be improved to allow for utility construction, a hardened service to protect the utilities, and vehicular access to the residential lots.

Public comments can be found on Attachment #13.

### **Policy Implications**

This preliminary plat is consistent in density with the existing adopted zoning designation for this area. Approval of this request will subsequently enable a final plat to be processed and recorded, establishing the lots and street dedications.

**Stipulations for the  
Development Review Board Application:  
Shaw Butte Division  
Case Number: 11-PP-2019**

These stipulations are intended to protect the public health, safety, welfare, and the City of Scottsdale.

**APPLICABLE DOCUMENTS AND PLANS:**

1. Except as required by the Scottsdale Revised Code (SRC), the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the civil construction documents and plat shall substantially conform to the following documents:
  - a. The Preliminary Plat submitted by Clouse Engineering, with a city staff date of 11/17/20.
  - b. Case Drainage Report submitted by Clouse Engineering, accepted on 09/28/2020.
  - c. Case Grading and Drainage Plan submitted by Clouse Engineering, accepted on 09/28/2020.
  - d. Water System Basis of Design Report submitted by Clouse Engineering, accepted on 3-25-20.
  - e. Wastewater System Basis of Design Report submitted by Clouse Engineering, accepted on 3-25-20.

**RELEVANT CASES:**

**Ordinance**

- A. At the time of review, the applicable cases for the subject site were: 31-ZN-1975 and 11-AB-2019.

**ARCHAEOLOGICAL RESOURCES:**

**Ordinance**

- B. Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Section 46-134 - Discoveries of archaeological resources during construction.

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**SUBDIVISION PLAT REQUIREMENTS**

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**SUBDIVISION DESIGN:**

**Ordinance**

- C. Final plat may not be recorded until existing structures within project development boundaries are demolished.

**STREET DEDICATIONS:**

**Ordinance**

- D. On the final subdivision plat, and prior to the issuance of a permit for the development project, the owner shall make the following fee simple right-of-way dedications to the City of Scottsdale:

- i. N 106<sup>th</sup> STREET: Twenty-five (25) foot dedication, WEST half-right-of-way width.
- ii. E PARADISE LANE:
  - a. Twenty (20) foot dedication SOUTH half-right-of-way width.
  - b. Fifty (50) foot radius quarter cul de sac right-of way dedication at the project parcel's northwest corner.

**EASEMENT DEDICATIONS:**

**DRB Stipulations**

- 2. Prior to the issuance of a permit for the development project, the owner shall dedicate the following easements to the City of Scottsdale on the final subdivision plat:
  - a. A sight distance easement to the City of Scottsdale at the intersection of 106<sup>th</sup> Street and Paradise Lane on the final subdivision plat where a sight distance triangle(s) in conformance with figures 5.3-26 and 5.3-27 of Section 5.3 of the DSPM cross on to the property.
  - b. An Emergency and Services Access easement for any portion of the cul de sac improvement along Paradise Lane that can not be contained within dedicated right of way.

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**INFRASTRUCTURE AND IMPROVEMENT REQUIREMENTS**

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**WALLS AND FENCES:**

**Ordinance**

- E. Walls within an intersection and driveway sight distance triangle and/or a traffic safety triangle shall conform with Section 5.3 of the DSPM.

**LANDSCAPE DESIGN:**

**Ordinance**

- F. With civil improvement plans, the applicant must submit a separate Native Plant Inventory completed by an approved salvage company for review and native plant permit issuance.

**DRB Stipulations**

- 3. Prior to the issuance of a permit, the owner shall submit construction documents that demonstrate how the salvaged vegetation from the site will be incorporated into the design of the project.

**EXTERIOR LIGHTING DESIGN:**

**Ordinance**

- G. All exterior luminaires shall have integral lighting shield and be directed downward, including landscape lighting.
- H. Any exterior luminaire with a total initial lumen output of greater than 3050 shall be directed downward and comply with the Illuminating Engineering Society of North America (IES) requirements for full cutoff.
- I. The initial vertical luminance at 6-foot above grade, along the north, south, east, west, property line shall not exceed 0.1 foot-candles. All exterior luminaires shall be included in this calculation.



**DRB Stipulations**

4. All exterior luminaires for parking lot and site lighting shall comply with the IES requirements for full cutoff, and shall be aimed downward and away from property line except for sign lighting.
  - a. Incorporate the following into the project's design:
    - i. The maintained average horizontal luminance level, at grade on the site, shall not exceed 1.5 foot-candles. All exterior luminaires shall be included in this calculation.
    - ii. The maintained maximum horizontal luminance level, at grade on the site, shall not exceed 6.0 foot-candles. All exterior luminaires shall be included in this calculation. All exterior luminaires shall be included in this calculation.
  - b. The total lumen per luminaire shall not exceed 24,000 lumens.

**STREETS AND RELATED INFRASTRUCTURE IMPROVEMENTS:**

**Ordinance**

- J. All street infrastructure improvements shall be design and constructed in accordance with this City of Scottsdale Supplement to MAG Specifications and Details, and the Design Standards and Policies Manual.
- K. Prior to the issuance of a building permit for the development project, the owner shall submit and obtain approval of civil construction documents to construct the following improvements:
  - i. N 106<sup>TH</sup> ST.
    - a. Construct full street improvements, pavement + ribbon curb, centered on center line, in accordance with the Local Residential – ESL/Rural Character street cross-section, from E Laurel Lane to E Paradise Drive.
    - b. East side of right of way, beyond ribbon curb, must remain clear for multi-use trail purposes.
  - ii. E PARADISE DR.
    - a. Construct full street improvements, 22' wide 6" ABC with 2' of compacted material on either side, centered on center line, in accordance with the Low Volume Unpaved Standard, along project frontage.
    - b. Construct full cul de sac street improvements, forty and a half (40.5) foot radius, to the Low Volume Unpaved Standard standards, at northwest corner of project parcel.
  - iii. N 106<sup>th</sup> ST + E PARADISE DR.
    - a. Construct a paved and ribbon curbed knuckle at the northeast quadrant of this intersection.

**DRB Stipulations**

5. Prior to the issuance of a building permit for the development project, the owner shall submit plans and receive plan approval to upgrade the traffic control signs at the N 106<sup>th</sup> St intersection with E Laurel Lane.

**DRAINAGE AND FLOOD CONTROL:**

**DRB Stipulations**

6. All headwalls and drainage structures shall be integrally colored concrete to blend with the color of the surrounding natural desert.

7. Submit a final drainage report that demonstrates consistency with the DSPM and the case drainage report accepted in concept by the Stormwater Manager, or designee. Note that drainage easements will be required for each of the drainage basins as well as maintenance access from 106<sup>th</sup> St.
8. Drainage easements for proposed retention basins must extend to provide maintenance access off of 106<sup>th</sup> St.

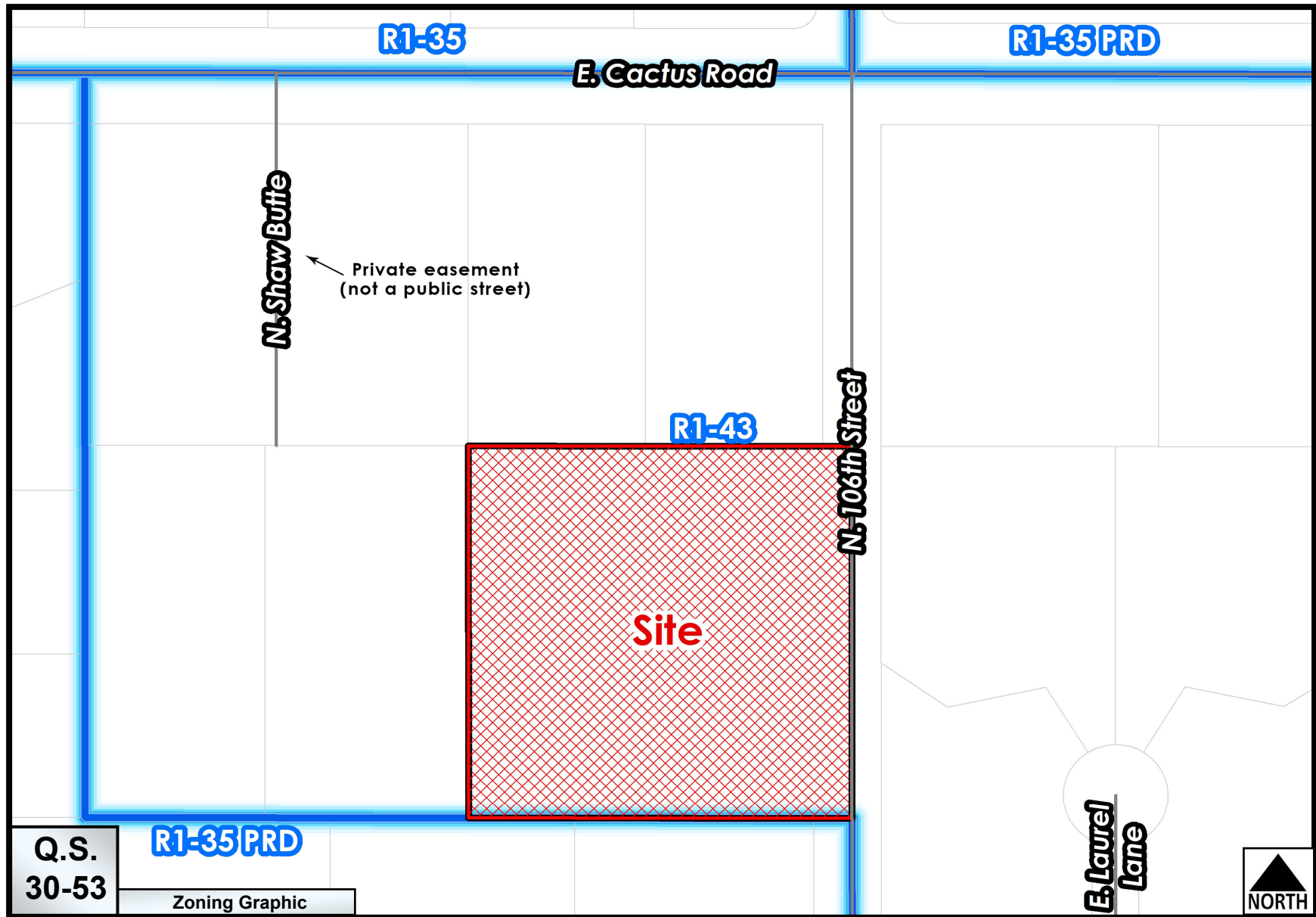
**WATER AND WASTEWATER STIPULATIONS:**

**Ordinance**

- L. All water and sewer infrastructure improvements shall be design and constructed in accordance with this City of Scottsdale Supplement to MAG Specifications and Details, and the Design Standards and Policies Manual.
- M. WATER AND SEWER INFRASTRUCTURE. Prior to the issuance of a building permit for the development project, the owner shall submit and obtain approval of civil construction documents to construct the following improvements:
  - i. N 106<sup>TH</sup> ST.
    - a. Construct eight-inch water and sewer systems from E Laurel Lane to E Paradise Dr.
  - ii. E PARADISE DR.
    - a. Construct eight-inch water and sewer systems along project frontage.

**DRB Stipulations**

9. Existing water and sewer service lines to this site shall be utilized or shall be disconnected at the main pursuant to the Water Resources Department requirements.



**Existing Zoning**

**11-PP-2019**



October 20, 2020

Councilmember Klapp, Chairman of the Development Review Board  
Chairman Paul Alessio, Planning Commission  
3939 N. Drinkwater Blvd.  
Scottsdale, AZ 85251

**CC: 11-PP-2019 & 11-AB-2019 – Request for Continuance**

Dear Chairman Klapp and Chairman Alessio and Planning Commissioners:

We represent Mr. Seth Friedman, owner of the property directly west of the proposed property seeking an abandonment of General Land Office Patent Easements (“GLO”) with Case # 11-AB-2019 and preliminary plat to subdivide the parcel into two (2) parcels, Case # 11-PP-2019. The applicant, Mischael Liggett with Blue Sky Homes, is attempting to abandon the easements and subdivide the singular 2.5-acre property into two (2) developable single-family lots. Our client is not opposed to the subdivision of the parcel into two (2) lots. Our client is seeking a discussion with the applicant as it relates to the GLO easements and access to surrounding properties. As of the date of writing this letter, the applicant has not reached out to our client or the adjacent neighbors (north) of the GLO easement abandonment request to discuss the ramifications of the abandonment and plat request.

Our client has discussed the proposed abandonment request with the adjacent and nearby property owners most impacted by the abandonment request. The property owners include:

- A – Luigi Romangeli – 10515 E. Cactus Road
- B – Larry Gingrich – 10575 E. Cactus Road
- C – Scott Lewandowski – 10595 E. Cactus Road
- D – Anthony Digiandomenico – 12021 N. 104<sup>th</sup> Way
- E – Seth Friedman – 10525 E. Shaw Butte Drive

Refer to the attached map of the property owners above location in relation to the abandonment application.

The above lot owners met to discuss the abandonment and plat proposal and have proposed a solution that can work with the applicant’s proposal. The proposal is outlined below. Until our client and the affected neighbors can meet to discuss this proposal with the



**TIFFANY  
& BOSCO**  
P.A.

applicant, *we are respectfully requesting a continuance of case 11-PP-2019 from the scheduled November 5, 2020 DRB agenda.* We are also requesting that Case # 11-AB-2019 not be placed on any Planning Commission agenda until we have had the opportunity to discuss our neighborhood proposal with the applicant. Neighborhood outreach is a hallmark of Scottsdale's land use entitlement process. Again, our client and the affected neighbors are all in favor of this area having two (2) more single-family homes, but there needs to be a final cohesive development and access plan. Our proposal is a comprehensive plan that addresses the remainder of the GLO easements, City right-of-way, paved access points and potential financial contribution to some of the improvements. We stand ready to discuss the below proposal with the applicant. Thank you and I look forward to hearing from you or City staff on this matter.

Sincerely,

Kurt Jones, AICP

C: Katie Posler, Planning Dept.  
Seth Friedman



**Case # 11-PP-2019 & 11-AB-2019 - Proposal**

Mr. Friedman and the affected neighbors (“Affected Property Owners”) have proposed a workable solution to the proposed abandonment and plat cases in order to ensure access is maintained to all lots affected. Their signatures below attest to their commitment to the applicant in resolving a final and workable access and roadway plan for the immediate area.

The development proposal is as follows:

Whereas: Affected Property Owners A, B, C, D, and E have enjoyed and maintained relationships based on mutual respect of each other’s property and access. With the lack of communication from the applicant, the Affected Property Owners have proposed the below plan to make sure that the quiet enjoyment and respect of the neighbors access continue.

Whereas: Lot Owners A, B, C, D and E are willing to move forward with the following stipulations.

- 1: The 33’ GLOPE #1147183 (north from proposed Paradise Drive and 106<sup>th</sup> Street) should be abandoned back to Lot C
2. The 25’ right-of-way (north from proposed Paradise Dr. and 106<sup>th</sup> St.) be reserved for a future multi use path easement and no other use.
3. The 33’ GLOPE #1147183 (along Paradise Lane alignment) be abandoned to parcels A, B & C.
4. North 106 St from the corner of 106th Street and Laurel Lane be a paved roadway at a minimal width acceptable to the City.
5. The paved street section described in #4 above shall bend westward into East Paradise Lane and be a paved roadway at a minimal width acceptable to the City.
6. Paradise Lane west of 106<sup>th</sup> Street shall end and cul-de-sac on the north east side of Lot Owner D.
7. The Electric utilities be put under ground for lots D, E, and applicant’s proposed parcels.
8. Water and sewer be brought to the property line of lot E within the Paradise Dr. alignment

Whereas, if the applicant agrees to the above eight (8) stipulations, the Affected Property Owners agree to:



Lot D owner construct the cul-de-sac and end point of Paradise Dr. at their expense

Lot D and E owners agree to put the new Paradise Dr. from northeast corner of lot E property to new cul-de-sac

Lot D has agreed to put in the new utilities to service Lot D and E from northeast corner of Lot D property at their expense

The following Affected Property Owners signatures attest to this proposal:

By: \_\_\_\_\_  
Luigi Romangeli

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Larry Gingrich

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Scott Lewandowski

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Anthony Digiandomenico

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Seth Friedman

Date: \_\_\_\_\_



Case 11-AB-2019

Affected Neighbor  
Map





**Posler, Kathryn**

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**From:** Seth Friedman <seth@septongroup.com>  
**Sent:** Tuesday, November 17, 2020 4:37 PM  
**To:** Posler, Kathryn  
**Subject:** 11-PP-2019

**⚠ External Email: Please use caution if opening links or attachments!**

Katie,

Since I am required to get the comments into the city today prior to having an opportunity to speak with the applicant, I am renewing my request that the roads be paved from Laurel and 106<sup>th</sup> street to the cul-de-sac at NWC of the property along Paradise Ln. I am also requesting that my original letter from "Kurt Jones" be put in public record. Furthermore I am asking for the link to speak at the public hearing if the applicant is not willing to stipulate to paving all the new roads. Thank you for allowing me a chance to be heard.

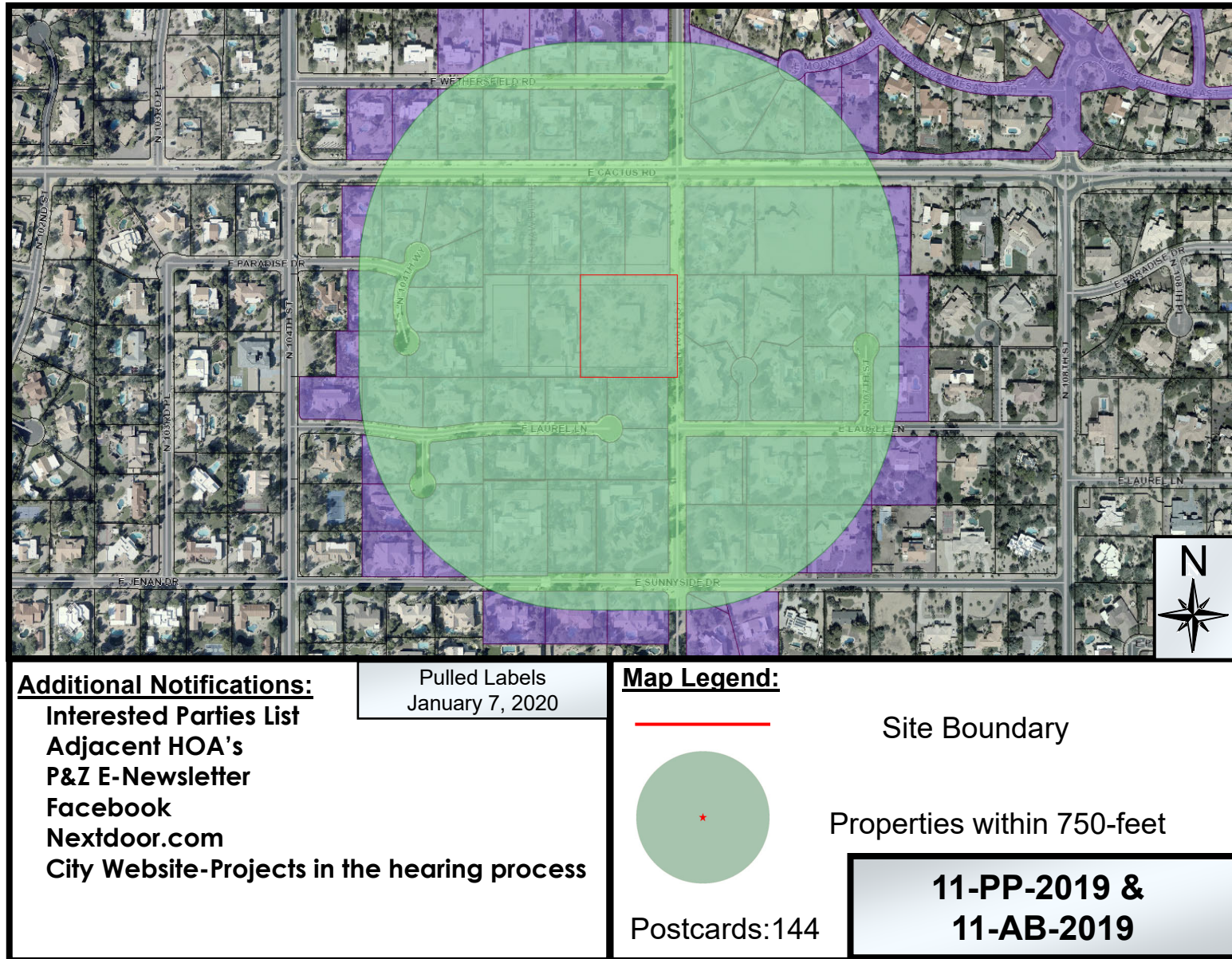
**Seth Friedman**

10525 E. Cactus Rd Scottsdale, AZ 85258  
(602) 499-8383 (Cell)

**ATTACHMENT #13**

## City Notifications – Mailing List Selection Map

### Shaw Butte



## SCOTTSDALE

# DEVELOPMENT REVIEW BOARD MEETING

## MEETING NOTICE AND **MARKED** AGENDA



### DEVELOPMENT REVIEW BOARD

Linda Milhaven, Council Member/Chair  
Prescott Smith, Planning Commissioner  
Doug Craig, Design Member

Shakir Gushgari, Design Member  
Michal Ann Joyner, Development Member

Thursday, December 3, 2020

**1:00 P.M.**

### DEVELOPMENT REVIEW BOARD MEETING

Until further notice, Development Review Board meetings are being held electronically. While physical facilities are not open to the public, Development Review Board meetings are televised on Cox Cable Channel 11/streamed online at [Scottsdaleaz.gov](https://www.scottsdaleaz.gov/scottsdale-video-network/live-stream) (search "live stream") to allow the public to virtually attend and listen/view the meeting in progress.

<https://www.scottsdaleaz.gov/scottsdale-video-network/live-stream>

### Public Comment

Spoken comment is being accepted on agenda action items. To sign up to speak on these items, please [click here](#). Request to speak forms must be submitted no later than 90 minutes before the start of the meeting.

Written comment is being accepted for both agendized and non-agendized items, and should be submitted electronically at least 90 minutes before the meeting. These comments will be emailed to the Development Review Board and posted online prior to the meeting. To submit a written public comment electronically, please [click here](#).

### Call to Order – **1:00 PM**

Roll Call – **ALL MEMBERS PRESENT**

### Administrative Report – Brad Carr, AICP

1. Identify supplemental information, if any, related to the December 3, 2020 Development Review Board agenda items, and other correspondence.

### Minutes

2. Approval of the November 19, 2020 Development Review Board [Meeting Minutes](#).  
**MOTION BY BOARD MEMBER CRAIG, 2<sup>ND</sup> BY BOARD MEMBER JOYNER, APPROVED 5-0.**

## CONSENT AGENDA

3. [21-DR-2020 \(McDonalds Remodel Loc#02-0269\)](#)  
Request approval of the site plan and building elevations for a remodel of an existing restaurant with 4,930 square feet of building area on a 0.94-acre site.  
2882 N. Scottsdale Road KDF Architectural Group, Architect  
**MOTION BY BOARD MEMBER JOYNER, 2<sup>ND</sup> BY BOARD MEMBER CRAIG, APPROVED 5-0.**

Jeff Barnes

4. [8-DR-2017#2 \(Scottsdale Residences\)](#)

Request for approval of a site plan, landscape plans, and building elevations for a new 4-story multi-family residential development consisting of 121 units and re-approval of a new 9 unit townhome development, all on a +/- 2.6-acre site, including approval of the location of public artwork.

6903-6939 E. Main Street

CCBG Architects Inc, Architect

6914-6930 E. 1<sup>st</sup> Street

**MOTION BY BOARD MEMBER JOYNER, 2<sup>ND</sup> BY BOARD MEMBER CRAIG, APPROVED 5-0.**

## REGULAR AGENDA

5. [11-PP-2019 \(Shaw Butte Division\)](#)

Katie Posler

Request for approval of a preliminary plat to divide one (1) existing lot into two (2) lots and add a new street for a property with Single-family Residential (R1-43) zoning.

10535 E. Cactus Road

Blue Enterprise, LLC

**MOTION BY BOARD MEMBER GUSHGARI TO APPROVE WITH STIPULATION TO PAVE BOTH STREETS, 2<sup>ND</sup> BY BOARD MEMBER CRAIG, APPROVED 5-0.**

6. [39-DR-2019 \(Jomax Storage\)](#)

Doris McClay

Request by owner for approval of a site plan, landscape plan, and building elevations for a new 75,000 square foot self-storage facility development on a +/- 1.86-acre site.

10798 E. Jomax Road

RKAA Architects, Inc, Architect

**MOTION BY BOARD MEMBER JOYNER TO CONTINUE CASE 39-DR-2019 TO THE DECEMBER 17, 2020 HEARING, 2<sup>ND</sup> BY BOARD MEMBER CRAIG, APPROVED 5-0.**

**Adjournment – 2:35 PM**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).



**SCOTTSDALE DEVELOPMENT REVIEW BOARD  
KIVA-CITY HALL  
3939 DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA  
THURSDAY, DECEMBER 3, 2020**

**\*SUMMARIZED MEETING MINUTES\***

**PRESENT:**

Linda Milhaven Councilmember  
Prescott Smith, Planning Commissioner  
Shakir Gushgari, Design Member  
Doug Craig, Design Member  
Michal Ann Joyner, Development Member

**ABSENT:**

None

**STAFF:**

Brad Carr	Joe Padilla
Jeff Barnes	Bryan Cluff
Doris McClay	Katie Posler
Eliana Hayes	Phil Kercher
Chris Zimmer	Bronte Ibsen
Karen Hemby	Brian Hancock
Lorraine Castro	Al Kane

**CALL TO ORDER**

Councilwoman Milhaven called the meeting of the Development Review Board to order at 1:00 PM.

**ROLL CALL**

A formal roll call was conducted confirming members present as stated above.

**ADMINISTRATIVE REPORT**

1. Identify supplemental information, if any, related to December 3, 2020 Development Review Board agenda items, and other correspondence.

**BRAD CARR NOTED ADDITIONAL NEIGHBORHOOD CORRESPONDENCE  
RECEIVED ON ITEMS #5 AND #6 AS WELL AS REVISED STIPULATIONS  
FOR ITEMS #3 AND #4**

\* Note: These are summary action minutes only. A complete copy of the meeting audio/video is available on the Development Review Board website at:  
[http://scottsdale.granicus.com/ViewPublisher.php?view\\_id=36](http://scottsdale.granicus.com/ViewPublisher.php?view_id=36)



## **MINUTES**

2. Approval of the November 19, 2020 Development Review Board Meeting Minutes.

**BOARD MEMBER CRAIG MOVED TO APPROVE THE NOVEMBER 19, 2020 DEVELOPMENT REVIEW BOARD MEETING MINUTES, 2ND BY BOARD MEMBER JOYNER. THE MOTION CARRIED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER MILHAVEN, COMMISSIONER SMITH, BOARD MEMBERS GUSHGARI, JOYNER, AND CRAIG WITH AN AYE VOTE OF FIVE (5) TO ZERO (0).**

## **CONSENT AGENDA**

3. 21-DR-2020 (McDonalds Remodel Loc#02-0269)

Request approval of the site plan and building elevations for a remodel of an existing restaurant with 4,930 square feet of building area on a 0.94-acre site.

2882 N. Scottsdale Road

KDF Architectural Group, Architect

**BOARD MEMBER JOYNER MOVED TO APPROVE 21-DR-2020, 2ND BY BOARD MEMBER CRAIG. THE MOTION CARRIED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER MILHAVEN, COMMISSIONER SMITH, BOARD MEMBERS GUSHGARI, JOYNER, AND CRAIG WITH AN AYE VOTE OF FIVE (5) TO ZERO (0).**

4. 8-DR-2017#2 (Scottsdale Residences)

Request for approval of a site plan, landscape plans, and building elevations for a new 4-story multi-family residential development consisting of 121 units and re-approval of a new 9 unit townhome development, all on a +/- 2.6-acre site, including approval of the location of public artwork.

6903-6939 E. Main Street

CCBG Architects Inc, Architect

6914-6930 E. 1<sup>st</sup> Street

**BOARD MEMBER JOYNER MOVED TO APPROVE 8-DR-2017#2, 2ND BY BOARD MEMBER CRAIG. THE MOTION CARRIED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER MILHAVEN, COMMISSIONER SMITH, BOARD MEMBERS GUSHGARI, AND JOYNER AND CRAIG WITH AN AYE VOTE OF FIVE (5) TO ZERO (0).**

## **REGULAR AGENDA**

5. 11-PP-2019 (Shaw Butte Division)

Request for approval of a preliminary plat to divide one (1) existing lot into two (2) lots and add a new street for a property with Single-family Residential (R1-43) zoning.

10535 E. Cactus Road

Blue Enterprise, LLC

**BOARD MEMBER GUSHGARI MOVED APPROVE 11-PP-2019 WITH AN ADDED STIPULATION TO PAVE BOTH STREETS FRONTING THE PROPERTY, 2ND BY BOARD MEMBER CRAIG. THE MOTION CARRIED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER MILHAVEN, COMMISSIONER SMITH, BOARD MEMBERS GUSHGARI, AND JOYNER AND CRAIG WITH AN AYE VOTE OF FIVE (5) TO ZERO (0).**

6. 39-DR-2019 (Jomax Storage)

Request by owner for approval of a site plan, landscape plan, and building elevations for a new 75,000 square foot self-storage facility development on a +/- 1.86- acre site.

10798 E. Jomax Road

RKAA Architects, Inc. Architect

**BOARD MEMBER JOYNER MOVED TO CONTINUE CASE 39-DR-2019 TO THE DECEMBER 17, 2020 HEARING, 2<sup>ND</sup> BY BOARD MEMBER CRAIG. THE MOTION CARRIED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER MILHAVEN, COMMISSIONER SMITH, BOARD MEMBERS GUSHGARI, AND JOYNER AND CRAIG WITH AN AYE VOTE OF FIVE (5) TO ZERO (0), IN CONTINUING THE CASE, THE DEVELOPMENT REVIEW BOARD MEMBERS DIRECTED THE APPLICANT TO PROVIDE ADDITIONAL INFORMATION REGARDING THE FINISHING OF THE ROOF, ADDITIONAL PERSPECTIVES, ADDITIONAL TREATMENT OF THE WEST SIDE OF THE BUILDING, AND ADDITIONAL REVIEW OF THE WATER HYDROLOGY FOR THE SITE.**

**ADJOURNMENT**

With no further business to discuss, the regular meeting of the Development Review Board adjourned at 2:35 PM.